

MESSAGE NO: 2084112 MESSAGE DATE: 03/24/1992

MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-816

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/23/1992 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIMINARY NEGATIVE COUNTERVAILING DUTY DETERMINATIONS  
OSCILLATING AND CEILING FANS FROM CHINA (PRC)

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CASES: C - 570 - 816 - -

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PERIOD COVERED: 03 23 1992 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PRELIMINARY NEGATIVE COUNTERVAILING DUTY DETERMINATIONS  
OSCILLATING AND CEILING FANS FROM CHINA (PRC)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON MARCH 23, 1992, NOTICE OF ITS PRELIMINARY DETERMINATION THAT NO BENEFITS WHICH CONSTITUTE BOUNTIES OR GRANTS WITHIN THE MEANING OF THE COUNTERVAILING DUTY LAW ARE BEING PROVIDED TO THE MANUFACTURERS OF OSCILLATING AND CEILING FANS FROM THE PEOPLE'S REPUBLIC OF CHINA. THE FINAL DETERMINATION IS SCHEDULED FOR JUNE 1, 1992.

2. IMPORTS COVERED BY THESE INVESTIGATIONS CONSTITUTE

TWO SEPARATE CLASSES OR KINDS OF MERCHANDISE:

(1) OSCILLATING FANS; AND (2) CEILING FANS.

OSCILLATING FANS ARE ELECTRIC FANS THAT DIRECT A FLOW OF AIR USING A FAN BLADE/MOTOR UNIT THAT PIVOTS BACK AND FORTH ON A STATIONARY BASE ("OSCILLATES"). OSCILLATING FANS INCORPORATE A SELF CONTAINED ELECTRIC MOTOR OF AN OUTPUT NOT EXCEEDING 125 WATTS.

CEILING FANS ARE DESIGNED FOR PERMANENT OR SEMI-PERMANENT INSTALLATION. WINDOW FANS, INDUSTRIAL OSCILLATING FANS, INDUSTRIAL CEILING FANS, AND COMMERCIAL VENTILATOR FANS ARE NOT INCLUDED WITHIN THE SCOPE OF THESE INVESTIGATIONS. FURTHERMORE, INDUSTRIAL CEILING FANS ARE DEFINED AS CEILING FANS THAT MEET SIX OR MORE OF THE FOLLOWING CRITERIA IN ANY COMBINATION: A MAXIMUM SPEED OF GREATER THAN 280 REVOLUTIONS PER MINUTE (RPMS); A MINIMUM AIR DELIVER CAPACITY OF 8000 CUBIC FEET PER MINUTE CFM); NO REVERSIBLE MOTOR SWITCH; CONTROLLED BY

WALL-MOUNTED ELECTRONIC SWITCH; NO BUILT-IN MOTOR CONTROLS; NO DECORATIVE FEATURES; NOT LIGHT ADAPTABLE; FAN BLADES GREATER THAN 52 INCHES IN DIAMETER; METAL FAN BLADES; DOWNROD MOUNTING ONLY-NO HUGGER MOUNTING CAPABILITY; THREE FAN BLADES; FAN BLADES MOUNTED ON TOP OF MOTOR HOUSING; SINGLE-SPEED MOTOR.

THE HARMONIZED TARIFF SCHEDULE (HTS) SUBHEADING UNDER WHICH OSCILLATING FANS ARE CLASSIFIABLE IS 8414.51.0090. THE HTS SUBHEADING UNDER WHICH CEILING FANS ARE CLASSIFIABLE IS 8414.51.0030. ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF

THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS COUNTERVAILING DUTY INVESTIGATION HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-816.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD CONTACT THE IMPORT SPECIALISTS DIVISION, OTHER AGENCY BRANCH, CUSTOMS HEADQUARTERS (FTS 535-4931), OR BY EMAIL TO ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT ROSS COTJANLE OR BETH GRAHAM, OFFICE OF COUNTERVAILING INVESTIGATIONS, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE, AT (202)377-3534 OR (202)377-4105, RESPECTIVELY.

5. THERE ARE NO RESTRICTIONS ON DISCLOSING THE ABOVE INFORMATION.

NANCY MCTIERNAN

NOTE: THIS MESSAGE WAS INADVERTENTLY NOT POSTED TO ADIL BECAUSE THE PERIOD COVERED IN THE HEADER WAS NOT CORRECTLY COMPLETED SO HAS BEEN POSTED TO ADIL ON DECEMBER 1, 2009. THE ORIGINAL MESSAGE WAS SENT TO REGIONAL DIRECTORS, COMMERCIAL OPERATIONS, DISTRICT DIRECTORS, AREA AND PORT DIRECTORS, NOT DIRECTORS, FIELD OPERATIONS AND PORT DIRECTORS. DIRECTOR, IMPORT SPECIALIST DIVISION IS NOW SHOWN AS DIRECTOR, SPECIAL ENFORCEMENT. THE BALANCE OF THE TEXT AND INFORMATION REMAINS UNCHANGED. THIS MESSAGE WITH THE CORRECTED HEADER HAS BEEN POSTED TO THE ADD/CVD SEARCH APPLICATION ON CBP.GOV.

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party